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# FAX TRANSMISSION

**DATE:** August 25, 2004

**PTO IDENTIFIER:** Application Number 10/080037-Conf. #8597  
Patent Number

**Inventor:** Spencer M. GOLD et al.

**MESSAGE TO:** Examiner Gail Verbitsky  
US Patent and Trademark Office

**FAX NUMBER:** (703) 872-9306

**FROM:** LAHIVE & COCKFIELD, LLP  
David R. Burns

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**Attorney Dkt. #:** SMQ-088 (P6549)

**PAGES (Including Cover Sheet):** 6

**CONTENTS:** Fee Transmittal (1 page, in duplicate);  
Notice of Appeal (1 page);  
Transmittal (1 page);  
Certificate of Transmission under 37 CFR 1.8 (1 page), and  
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PTO/SB/97 (12-97)

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/080037-Conf. #8597
	Filing Date	February 19, 2002
	First Named Inventor	Spencer M. GOLD
	Art Unit	2859
	Examiner Name	G. K. Verbitsky
Attorney Docket Number		SMQ-088 (P6549)
Total Number of Pages in This Submission		

**ENCLOSURES (Check all that apply)**

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance communication to Technology Center (TC)
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☒ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):  
Certificate of Facsimile

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	LAHIVE & COCKFIELD, LLP David R. Burns - 46,590
Signature	<i>David R. Burns</i>
Date	August 25, 2004

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Dated August 25, 2004

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*David R. Burns*

(David R. Burns)

PTO/SB/17 (10-03)  
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## FEE TRANSMITTAL for FY 2004

Effective 10/01/2003 Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$) **330.00**

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number: **12-0080**

Deposit Account Name: **Lahive & Cockfield, LLP**

The Director is authorized to (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-designated deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entry	Small Entry	Fee Description	Fee Paid
Code (\$)	Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>0.00</b>

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Large Entry	Small Entry	Fee Description	Fee Paid
Code (\$)	Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 280	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	Reissue independent claims over original patent	
1205 18	2205 9	Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>			<b>0.00</b>

\*or number previously paid, if greater. For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entry	Small Entry	Fee Description	Fee Paid
Code (\$)	Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 840	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Sheet	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(p))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
<b>SUBTOTAL (3)</b>			<b>330.00</b>

Other fee (specify): \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (4)** (\$) **330.00**

(Complete if applicable)

**SUBMITTED BY**

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Signature: *David R. Burns*

Date: **August 25, 2004**

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Dated: August 25, 2004

Signature: *David R. Burns* (David R. Burns)